

<b>MAGISTRATE JUDGE</b> <b>MINUTE ORDER</b>		DEPUTY CLERK Sarah Weinstein for Ivy Garcia	REPORTER/TAPE NO. FTR 9/28/2007 9:25 - 9:30 a.m.
MAGISTRATE JUDGE WAYNE D. BRAZIL	DATE September 28, 2007	<input checked="" type="checkbox"/> NEW CASE	CASE NUMBER CR 07-00616 MJJ

<b>DEFENDANT</b> AMAURI MOLINA-MARTINEZ		AGE Y	CUST Y	P/NP P	ATTORNEY FOR DEFENDANT JOYCE LEVITT	<b>FILED</b> SEP 29 2007 FEDERAL DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA OAKLAND
U.S. ATTORNEY BRYAN R. WHITTAKER		INTERPRETER Ines S. Swaney			FIN. AFFIDAVIT SUBMITTED DEFENDANT NOT ELIGIBLE FOR APPOINTED COUNSEL COUNSEL APPOINTED RICHARD W. WILKINS, CJA CLERK, U.S. DISTRICT COURT	
PROBATION OFFICER		PRETRIAL SERVICES OFFICER TAIFA GASKINS				

<input checked="" type="checkbox"/> INITIAL APPEARANCE	<input type="checkbox"/> PRELIMINARY HEARING	<input type="checkbox"/> MOTION	<input type="checkbox"/> JUDGMENT & SENTENCING	<input type="checkbox"/> STATUS
<input type="checkbox"/> I.D. COUNSEL	<input type="checkbox"/> OR ARRAIGNMENT	<input type="checkbox"/> BOND POSTING/ SIGNING	<input type="checkbox"/> IA ON PETITION TO REVOKE PROB.	<input type="checkbox"/> TRIAL
<input type="checkbox"/> DETENTION HEARING	<input type="checkbox"/> REMOVAL HEARING	<input type="checkbox"/> CHANGE OF PLEA	<input type="checkbox"/> PROB. REVOC. OR SUPV. REL. HRG.	<input type="checkbox"/> OTHER

<input checked="" type="checkbox"/> ADVISED OF RIGHTS	<input checked="" type="checkbox"/> ADVISED OF CHARGES	<input type="checkbox"/> NAME AS CHARGED IS TRUE NAME	<input type="checkbox"/> TRUE NAME:
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<input type="checkbox"/> ARRAIGNED ON INFORMATION	<input type="checkbox"/> ARRAIGNED ON INDICTMENT	<input type="checkbox"/> READING WAIVED SUBSTANCE STATED	<input type="checkbox"/> WAIVER OF INDICTMENT FILED
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<input type="checkbox"/> RELEASED ON O/R	<input type="checkbox"/> ISSUED APPEARANCE BOND	AMOUNT OF SECURITY	AMOUNT RECEIVED \$	<input type="checkbox"/> PASSPORT SURRENDERED DATE:
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PROPERTY POSTED/TO BE POSTED	REAL PROPERTY:
<input type="checkbox"/> CASH \$	<input type="checkbox"/> CORPORATE SECURITY

<input checked="" type="checkbox"/> MOTION FOR DETENTION	<input type="checkbox"/> PRETRIAL SERVICES REPORT ORDERED	<input type="checkbox"/> DETAINED	<input type="checkbox"/> RELEASED	<input type="checkbox"/> DETENTION HEARING AND FORMAL FINDINGS WAIVED	<input checked="" type="checkbox"/> REMANDED TO CUSTODY
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ORDER REMOVED TO THE DISTRICT OF	OTHER:
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<b>PLEA</b>			
<input type="checkbox"/> CONSENT ENTERED	<input type="checkbox"/> NOT GUILTY	<input type="checkbox"/> GUILTY	<input type="checkbox"/> GUILTY TO COUNTS:
<input type="checkbox"/> PRESENTENCE REPORT ORDERED	<input type="checkbox"/> CHANGE OF PLEA	<input type="checkbox"/> PLEA AGREEMENT FILED	<input type="checkbox"/> OTHER:

<b>CONTINUANCE</b>				
TO: 10/2/2007	<input checked="" type="checkbox"/> I.D. COUNSEL	<input type="checkbox"/> BOND POSTING/ SIGNING	<input type="checkbox"/> STATUS RE: CONSENT	<input type="checkbox"/> JURY TRIAL
AT: 10:00 a.m.	<input type="checkbox"/> FINAN. AFFIDAVIT SUBMITTED	<input type="checkbox"/> PRELIMINARY HEARING OR ARRAIGNMENT	<input type="checkbox"/> PLEA	<input type="checkbox"/> BOND HEARING
BEFORE HON. Wayne D. Brazil	<input type="checkbox"/> DETENTION HEARING		<input type="checkbox"/> TO HEAR MOTIONS	<input type="checkbox"/> JUDGMENT & SENTENCING
<input type="checkbox"/> TIME WAIVED	<input type="checkbox"/> IDENTITY/REMOVAL HEARING	<input type="checkbox"/> PRETRIAL CONFERENCE	<input type="checkbox"/> PROBATION REV. HEARING	
<input checked="" type="checkbox"/> TIME EXCLUDABLE UNDER 18 § USC 3161	<input type="checkbox"/> TRIAL SETTING	<input type="checkbox"/> COURT TRIAL	<input checked="" type="checkbox"/> STATUS	

**ADDITIONAL PROCEEDINGS**

The Court advised Defendant of his rights, and of the charges pending against him and the possible penalties. The Court appointed the public defender to represent Defendant until Defendant fills out a financial affidavit and counsel officially is identified. The United States informed the Court that there is an ICE hold on Defendant. Defendant's next appearance is on Tuesday, October 2, 2007, at 10:00 a.m. before this Court for identification of counsel, further status, and further discussion of whether Defendant would like a bail hearing.

Copies: WAB, Stats, PTC

Department of Homeland Security  
Immigration and Customs Enforcement

# Immigration Detainer - Notice of Action

File No.

A77 168 407

Date: September 25, 2007

<b>TO:</b> (Name and title of institution) U.S. Marshals Service Oakland, CA  Or any subsequent law enforcement agency	<b>From:</b> (INS office address) U.S. Department of Homeland Security Immigration and Customs Enforcement 630 Sansome Street, 5 <sup>th</sup> Floor San Francisco, CA 94111
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Name of alien: MOLINA-Martinez, AmauriDate of birth: 10/25/1979 Nationality: Mexico Sex: Male

**You are advised that the action noted below has been taken by the Immigration and Customs Enforcement concerning the above-named inmate of your institution:**

- ☒ Investigation has been initiated to determine whether this person is subject to removal from the United States.
- ☐ A Notice to Appear or other charging document initiating removal proceedings, a copy of which is attached, was served on \_\_\_\_\_  
(Date)
- ☐ A warrant of arrest in removal proceedings, a copy of which is attached, was served on \_\_\_\_\_  
(Date)
- ☐ Deportation or removal from the United States has been ordered.

## It is requested that you:

Please accept this notice as a detainer. This is for notification purposes only and does not limit your discretion in any decision affecting the offender's classification, work and quarters assignments, or other treatment which he or she would otherwise receive.

- ☒ Federal regulations (8 CFR 287.7) require that you detain the alien for a period not to exceed 48 hours (excluding Saturdays, Sundays and Federal holidays) to provide adequate time for INS to assume custody of the alien. You may notify INS by calling 415 844-5512 during business hours or 415 844-5549 after hours in an emergency.

- ☒ Please complete and sign the bottom block of the duplicate of this form and return it to this office. ☒ A self-addressed stamped envelope is enclosed for your convenience. ☒ Please return a signed copy via facsimile to 415 844-5562  
(Area code and facsimile number)

Return fax to the attention of Polly Kaiser at 415 844-5536  
(Name of INS officer handling case) (Area code and phone number)

- ☒ Notify this office of the time of release at least 30 days prior to release or as far in advance as possible.
- ☒ Notify this office in the event of the inmate's death or transfer to another institution.
- ☐ Please cancel the detainer previously placed by this Service on \_\_\_\_\_

Polly Kaiser #349  
(Signature of INS official)

Deportation Officer  
(Title of INS official)

## Receipt acknowledged:

Date of latest conviction: \_\_\_\_\_ Latest conviction charge: \_\_\_\_\_

Estimated release date: \_\_\_\_\_

Signature and title of official: \_\_\_\_\_